

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

-against-

RICHARD J. SCHUELER, a/k/a RICHARD
HEART, HEX, PULSECHAIN, and PULSEX,

Defendants.

Civil Action No. 1:23-cv-5749

**NOTICE OF MOTION TO DISMISS
SECURITIES AND EXCHANGE
COMMISSION'S COMPLAINT**

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law, Declaration of Michael E. Liftik, the exhibits thereto, and all the pleadings and proceedings herein, Defendant Richard Heart will move this Court, on October 24, 2024 at 2pm, or at another date and time set by this Court, pursuant to Federal Rule of Civil Procedure 12(b)(2) and 12(b)(6), to dismiss Plaintiff Securities and Exchange Commission's Complaint, and for such other relief as this Court deems just and proper.

Dated: April 8, 2024

/s/ Michael E. Liftik

Michael E. Liftik

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